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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 22, 2012

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Derek Nuxoll, Page.

Approval of Journal

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

Consideration of Messages from the Governor and the Senate

March 21, 2012

Mr. Speaker:

I return herewith enrolled [H 622](#), [H 579](#), [H 541](#), [H 420](#), [H 421](#), [H 422](#), [H 523](#), as amended, [H 503](#), [H 558](#), [H 490](#), [H 636](#), [H 638](#), [H 637](#), [H 641](#), [H 642](#), [H 643](#), [H 644](#), [H 448](#), [H 532](#), [H 450](#), as amended in the Senate, [H 457](#), as amended in the Senate, and [H 511](#), as amended, as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 622](#), [H 579](#), [H 541](#), [H 420](#), [H 421](#), [H 422](#), [H 523](#), as amended, [H 503](#), [H 558](#), [H 490](#), [H 636](#), [H 638](#), [H 637](#), [H 641](#), [H 642](#), [H 643](#), [H 644](#), [H 448](#), [H 532](#), [H 450](#), as amended in the Senate, [H 457](#), as amended in the Senate, and [H 511](#), as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 21, 2012

Mr. Speaker:

I transmit herewith [S 1390](#), as amended, [S 1372](#), [S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1395](#) which have passed the Senate.

NOVAK, Secretary

[S 1390](#), as amended, [S 1372](#), [S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), [S 1400](#), and [S 1395](#) were filed for first reading.

March 21, 2012

Mr. Speaker:

I return herewith [H 603](#), [H 626](#), [H 607](#), [H 645](#), [H 487](#), [H 632](#), [H 593](#), and [H 633](#) which have passed the Senate.

NOVAK, Secretary

[H 603](#), [H 626](#), [H 607](#), [H 645](#), [H 487](#), [H 632](#), [H 593](#), and [H 633](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 21, 2012

Mr. Speaker:

I return herewith [H 439](#), as amended, as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

[H 439](#), as amended, as amended in the Senate, was ordered held at the Desk.

Mr. Rusche asked unanimous consent that the House concur in the Senate amendments to [H 439](#), as amended, as amended in the Senate. There being no objection, it was so ordered.

[H 439](#), as amended, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 693](#).

WILLS, Chairman

[H 693](#) was referred to the State Affairs Committee.

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 522](#), as amended, [H 386](#), as amended, [H 549](#), [H 550](#), [H 590](#), [H 604](#), [H 582](#), [H 491](#), as amended, [H 376](#), [H 570](#), [H 502](#), as amended, [H 569](#), [H 609](#), [H 519](#), and [H 497](#), as amended in the Senate.

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 522](#), as amended, [H 386](#), as amended, [H 549](#), [H 550](#), [H 590](#), [H 604](#), [H 582](#), [H 491](#), as amended, [H 376](#), [H 570](#), [H 502](#), as amended, [H 569](#), [H 609](#), [H 519](#), and [H 497](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 426](#), as amended in the Senate.

WILLS, Chairman

[H 426](#), as amended in the Senate, was filed for first reading of engrossed bills.

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 595](#), [H 512](#), as amended, [H 481](#), [H 556](#), [H 513](#), [H 615](#), [H 616](#), [H 617](#), [H 618](#), [H 516](#), [H 396](#), [H 397](#), [H 399](#), [H 400](#), [H 401](#),

[H 621](#), and [H 598](#) to the Governor at 10:05 a.m., as of this date, March 21, 2012.

WILLS, Chairman

March 21, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SCR 132](#) and recommend that it do pass.

LOERTSCHER, Chairman

[SCR 132](#) was filed for second reading.

March 21, 2012

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 672](#) and recommend that it do pass.

NONINI, Chairman

[H 672](#) was filed for second reading.

March 21, 2012

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 689](#) and recommend that it do pass.

BLOCK, Chairman

[H 689](#) was filed for second reading.

March 22, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 688](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 688](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 694 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-524, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO A FINDING AND DECLARATION BY THE LEGISLATURE, TO ESTABLISH PROVISIONS RELATING TO SCHOOL DISTRICTS' LIABILITY ARISING OUT OF CERTAIN ACTS OF EMPLOYEES, TO ESTABLISH PROVISIONS RELATING TO PROVIDING A DEFENSE TO EMPLOYEES, TO ESTABLISH PROVISIONS RELATING TO A SCHOOL DISTRICT'S RESPONSIBILITY FOR THE PAYMENT OF CERTAIN JUDGMENTS, TO ESTABLISH PROVISIONS RELATING TO SCHOOL DISTRICTS NOT BEING ENTITLED TO CONTRIBUTION, INDEMNIFICATION OR REIMBURSEMENT FOR CERTAIN LEGAL FEES OR EXPENSES, TO PROVIDE THAT THIS SECTION SHALL NOT EXPAND THE TERMS OR PROVISIONS OF CERTAIN LAWS, TO ESTABLISH PROVISIONS RELATING TO THE CREATION OF A CERTAIN REGISTRY, TO REVISE PROVISIONS RELATING TO SCHOOL DISTRICTS PROVIDING EMPLOYEES WITH

A CERTAIN LIST, TO REVISE PROVISIONS RELATING TO A CERTAIN FORM PROVIDED BY THE DEPARTMENT, TO REVISE PROVISIONS RELATING TO SCHOOL DISTRICTS HAVING A CURRENT LIST AVAILABLE AND TO REVISE DEFINITIONS; AND PROVIDING A CONTINGENT SUNSET DATE.

HOUSE BILL NO. 695 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-451A, IDAHO CODE, TO PROVIDE FOR THE LEGISLATIVE LEGAL DEFENSE FUND, TO PROVIDE FOR MONEYS IN THE FUND, TO PROVIDE THAT MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED, TO PROVIDE FOR EXEMPTIONS AND TO PROVIDE FOR EXPENDITURES; AND TO PROVIDE FOR A TRANSFER FROM THE GENERAL FUND TO THE LEGISLATIVE DEFENSE FUND AND TO PROVIDE THAT OF THE AMOUNT TRANSFERRED, FIFTY PERCENT SHALL BE AVAILABLE TO THE SENATE AND FIFTY PERCENT TO THE HOUSE OF REPRESENTATIVES.

HOUSE BILL NO. 696 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO APPROPRIATIONS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS; AMENDING SECTION 1, CHAPTER 249, LAWS OF 2011, TO MOVE MONEYS FROM OPERATING EXPENDITURES TO PERSONNEL COSTS; APPROPRIATING MONEYS FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; PROVIDING NON-GENERAL FUND REAPPROPRIATION FOR FISCAL YEAR 2013; AND DECLARING AN EMERGENCY.

[H 694](#), [H 695](#), and [H 696](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1390](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1395](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1372](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), and [S 1400](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

[H 426](#), as amended in the Senate, by Education Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

[S 1343](#), [S 1363](#), [S 1365](#), [S 1366](#), [S 1373](#), and [SCR 131](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1357](#), as amended, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[HJR 1](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[HJR 2](#), as amended, by Ways and Means Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HJR 1](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HJR 1](#), as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HJR 1](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [HJR 1](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bilbao, Block(Block), Boyle, Crane, DeMordaunt, Ellsworth, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Roberts, Schaefer, Shepherd, Simpson, Sims, Thayne, Thompson, Vander Woude, Wood(35), Mr. Speaker. Total – 37.

NAYS – Anderson, Bell, Black, Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge,

Gibbs, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, Nessel, Patrick, Pence, Perry, Raybould, Ringo, Rusche, Shirley, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood(27). Total – 33.

Total – 70.

Whereupon the Speaker declared that less than two thirds of the membership having voted in the affirmative, [HJR 1](#), as amended, failed to pass the House and was ordered filed in the office of the Chief Clerk.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HJR 2](#), as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HJR 2](#), as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Chew. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HJR 2](#), as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [HJR 2](#), as amended, be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Jaquet, Killen, King, Ringo. Total – 4.

Absent and excused – Black, Henderson, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [HJR 2](#), as

amended, was adopted by the House. Title was approved and the resolution ordered transmitted to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **HJM 14** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

HJM 14 - BASQUE COUNTRY - ETA

HJM 14 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

At this time, Mr. Cronin took the Chair.

The question being, "Shall **HJM 14** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 14** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 684 - APPROPRIATION - STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO, SPECIAL PROGRAMS

H 684 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **H 684** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – McGeachin. Total – 1.
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 684** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 685 - APPROPRIATION - SUPREME COURT

H 685 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 685** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane,

Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Harwood, Loertscher. Total – 2.
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 685** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 686 - APPROPRIATION - OFFICE OF DRUG POLICY

H 686 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 686** pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.
Absent and excused – Higgins, Simpson. Total – 2.
Total – 70.

Whereupon the Speaker Pro Tem declared that **H 686** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 687 - UNCLAIMED PROPERTY PROGRAM

H 687 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall **H 687** pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Bilbao, Simpson. Total – 3.
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 687](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 660](#) be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

[H 691](#) - SPECIAL USE PERMITS

[H 691](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall [H 691](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Black, Block(Block), Bolz, Boyle, Chadderdon, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Perry, Raybould, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Buckner-Webb, Burgoyne, Chew, Jaquet, Killen, Nessel, Pence, Ringo, Smith(24), Wood(35). Total – 10.

Absent and excused – Bilbao. Total – 1.
Total – 70.

Whereupon the Speaker Pro Tem declared that [H 691](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1280](#) - RESPIRATORY CARE PRACTICE ACT

[S 1280](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Chew to open debate.

The question being, "Shall [S 1280](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Harwood. Total – 1.
Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1280](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1369](#) - LABOR DEPARTMENT

[S 1369](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

Mr. Nielsen moved that [S 1369](#) be placed on General Orders for consideration. Seconded by Mr. Barbieri.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, DeMordaunt, Ellsworth, Guthrie, Hagedorn, Hart, Harwood, Loertscher, Luker, McGeachin, McMillan, Nielsen, Patrick, Raybould, Schaefer, Shepherd, Sims, Vander Woude, Wood(35). Total – 21.

NAYS – Anderson, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, Moyle, Nessel, Nonini, Palmer, Pence, Perry, Ringo, Roberts, Rusche, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 49.

Total – 70.

Whereupon the Speaker Pro Tem declared the motion failed.

The question being, "Shall [S 1369](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Boyle, Collins, Crane, DeMordaunt, Guthrie, Hagedorn, Hart, Harwood, Henderson, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Perry, Raybould, Roberts, Schaefer, Simpson, Smith(30), Smith(24), Stevenson, Thayne, Trail, Wills, Wood(27). Total – 36.

NAYS – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Boyle, Collins, Crane, DeMordaunt, Guthrie, Hagedorn, Hart, Harwood, Henderson, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Perry, Raybould, Roberts, Shepherd, Shirley, Sims, Thompson, Vander Woude, Wood(35), Mr. Speaker. Total – 34.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1369](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1270](#) - LEGISLATIVE APPOINTMENTS

[S 1270](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Luker to open debate.

The question being, "Shall [S 1270](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs,

Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker Pro Tem declared that [S 1270](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1330](#) - AIR NAVIGATION FACILITIES

[S 1330](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall [S 1330](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Shepherd. Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1330](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1295](#), as amended, - MASSAGE THERAPISTS

[S 1295](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Marriott to open debate.

The question being, "Shall [S 1295](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Batt, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Guthrie, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, Nessel, Pence, Perry, Ringo, Rusche, Shirley, Sims, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood(27). Total – 39.

NAYS – Barbieri, Barrett, Bateman, Bayer, Bedke, Boyle, Crane, DeMordaunt, Hagedorn, Hart, Harwood, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd, Simpson, Thayne, Thompson, Vander Woude, Mr. Speaker. Total – 29.

Absent and excused – Ellsworth, Wood(35). Total – 2.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1295](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1256](#), as amended in the House, - SPECIAL BIG GAME AUCTION TAGS

[S 1256](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall [S 1256](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Bateman, Batt, Bayer, Bedke, Bilbao, Black, Block(Block), Bolz, Chadderdon, Collins, Crane, DeMordaunt, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Lacey, Moyle, Nonini, Palmer, Patrick, Pence, Raybould, Shirley, Sims, Stevenson, Thompson, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 38.

NAYS – Barrett, Bell, Boyle, Buckner-Webb, Burgoyne, Chew, Cronin, Ellsworth, Guthrie, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McMillan, Nessel, Nielsen, Perry, Ringo, Roberts, Rusche, Shepherd, Simpson, Smith(30), Smith(24), Thayne, Trail. Total – 29.

Absent and excused – McGeachin, Schaefer, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1256](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[SCR 123](#) - BILLINGSLEY CREEK

[SCR 123](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

The question being, "Shall [SCR 123](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Barbieri, Barrett, Boyle, Hart. Total – 4.

Total – 70.

Whereupon the Speaker Pro Tem declared [SCR 123](#) adopted and ordered the resolution returned to the Senate.

Mr. Bedke, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which [S 1369](#) passed the House.

[S 1369](#) was ordered held at the Desk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Bedke moved that the House reconsider the vote by which [S 1369](#) passed the House. Seconded by Mr. Hagedorn.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Bolz, Boyle, Burgoyne, Collins, Crane, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Harwood, Henderson, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 47.

NAYS – Black, Block(Block), Buckner-Webb, Chadderdon, Chew, Cronin, Hartgen, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, Nessel, Pence, Ringo, Rusche, Smith(30), Stevenson, Thayne, Trail. Total – 22.

Absent and excused – Smith(24). Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared the motion to reconsider carried.

S 1369 was placed before the House for final consideration.

Mr. Hartgen moved that [S 1369](#) be placed on General Orders for consideration. Seconded by Mr. Lake.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES – Anderson, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Marriott, Moyle, Nessel, Pence, Raybould, Ringo, Rusche, Shirley, Simpson, Smith(30), Stevenson, Thayne, Trail, Wills, Wood(27). Total – 41.

NAYS – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Boyle, Burgoyne, Crane, Guthrie, Hart, Harwood, Luker, McGeachin, McMillan, Nielsen, Nonini, Palmer, Patrick, Perry, Roberts, Schaefer, Shepherd, Sims, Thompson, Vander Woude, Wood(35), Mr. Speaker. Total – 28.

Absent and excused – Smith(24). Total – 1.

Total – 70.

Whereupon the Speaker Pro Tem declared the motion carried and [S 1369](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, March 23, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 1:11 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk